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2 **UNITED STATES DISTRICT COURT**
3 **DISTRICT OF NEVADA**

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5 UNITED STATES OF AMERICA,
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7 Plaintiff,

2:14-mj-00447-VCF

8 vs.

9 JOHN-BENEDICT GALANG ALCANTARA,

ORDER

10 Defendant.

11 Before the court is the Government's Motion for a Psychiatric Evaluation (#9, #22). On August
12 27, 2014, the court held a hearing on the motion and heard representations from the parties.

13 Accordingly,

14 IT IS THEREFORE ORDERED that the Government's Motions for a Psychiatric Evaluation
15 (#9, #22) is GRANTED in part.

16 IT IS FURTHER ORDERED that the defendant submit to a psychiatric examination to
17 determine whether the defendant may presently be suffering from a mental disease or defect rendering
18 him mentally incompetent to the extent that he is unable to understand the nature of consequences of the
19 proceedings against him or to assist properly in his defense.

20 IT IS FURTHER ORDERED that defendant shall be forthwith transported to the closest Federal
21 Bureau of Prisons (BOP) facility that conducts psychological evaluations for this examination.

22 IT IS FURTHER ORDERED that said examination shall be in accordance with Title 18, United
23 States Code, Sections 4241 and 4247.

24 IT IS FURTHER ORDERED that defendant shall be held in said facility for a reasonable period
25 of time, not to exceed 45 days, unless extended by further order of the Court upon showing of good

1 cause by the Director of said facility or pursuant to other appropriate motion for a period of time up to
2 30 days.

3 IT IS FURTHER ORDERED that within 45 days from the date of entry of the Order, the
4 Director of said facility at which the examination has been conducted, shall prepare, or cause to be
5 prepared, a psychiatric or psychological report of the defendant, and that the Director shall send copies
6 of such psychiatric or psychological report to the undersigned magistrate judge, the Honorable Cam
7 Ferenbach (Lloyd D. George U.S. Courthouse, U.S. District Court, District of Nevada- Las Vegas, 333
8 Las Vegas Blvd. South, Suite 3005, Las Vegas, Nevada 89101), to Allison Herr, Assistant United States
9 Attorney, and Dayvid Figler, counsel for defendant, Mr. Alcantara.

10 IT IS FURTHER ORDERED that Mr. Alcantara's examination shall be administered by
11 personnel who are trained and qualified to care for persons diagnosed with autism.

12 IT IS FURTHER ORDERED that following the defendant's examination, he shall be forthwith
13 transported back to the District of Nevada.

14 IT IS FURTHER ORDERED that said examination shall be in accordance with 18 U.S.C.
15 §§ 4241 and 4247.

16 IT IS FURTHER ORDERED that the said report prepared pursuant to this Order shall include:

17 (1) Defendant's history and present symptoms;

18 (2) A description of the psychiatric, psychological or medical tests that were employed and their
19 findings;

20 (3) The examiner's findings;

21 (4) The examiner's opinions as to diagnosis, prognosis, and whether the defendant is competent
22 to stand trial, the test of which is whether he may presently be suffering from a mental disease or defect
23 rendering him mentally incompetent to the extent that he is unable to understand the nature and

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1 consequences of the proceedings against him or to assist properly in his defense.

2 Dated this 27th day of August, 2014.

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5 CAM FERENBACH
6 UNITED STATES MAGISTRATE JUDGE
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